

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
GAINESVILLE DIVISION**

IN RE:	:	CHAPTER 7
	:	
LAPRADE’S MARINA, LLC,	:	CASE NO. 15-20697-JRS
	:	
<u>Debtor.</u>	:	
S. GREGORY HAYS, AS CHAPTER 7	:	
TRUSTEE FOR LAPRADE’S MARINA,	:	
LLC, DEBTOR,	:	
	:	
Plaintiff,	:	
V.	:	Adv. Pro. No. 18-02004-jrs
	:	
PETER DOMINIC ANZO,	:	
CHRISTINE ANZO, PERFORMANCE	:	
CONSULTING PARTNERS, LLC, and	:	
JOHN DOES 1 – 10,	:	
	:	
<u>Defendants.</u>	:	

STIPULATION EXTENDING DEADLINES

Defendants Christine Anzo, and Performance Consulting Partners, LLC (collectively, the “**Defendants**”) and Plaintiff S. Gregory Hays, as Chapter 7 Trustee (“**Plaintiff**”) for the Estate of LaPrade’s Marina, LLC, Debtor, in the above-captioned adversary proceeding (the “**Adversary Proceeding**”)(collectively, the Defendants and Plaintiff are the “**Parties**”)¹, by and through their undersigned attorneys, seek to extend certain deadlines in the Adversary Proceeding and hereby request the entry of an Order—substantially in the form as the order attached as **Exhibit A** hereto—approving this Stipulation and stipulate and agree as follows:

1. The Parties previously filed a Joint Report of Rule 26(f) Conference and Discovery Plan (the “**Joint Report**”) in which the Parties agreed to certain deadlines in the Adversary Proceeding;
2. The Joint Report noted that the Joint Report was without prejudice to the rights of

¹ Defendant Peter Anzo, acting *pro se*, is not a party to this Stipulation and does not consent to the extension.

the Parties to enter into additional discovery plans or to amend the Joint Report;

3. Paragraph 3 of the original Joint Report indicates that discovery shall be completed by September 7, 2018, subject to modification by the Court with the consent of the Parties or for good cause shown;

4. Paragraph 4(d) of the original Joint Report indicates that all dispositive motions, including Motions for Summary Judgment, will be filed by October 9, 2018;

5. Upon consideration of the Joint Report, the Court entered an Order on Rule 26(f) Report dated May 11, 2018 [Doc. No. 12] (the “**Discovery Order**”) in which the Court approved the time limits and provisions stated in the Joint Report;

6. The Parties stipulate and agree that paragraph 3 of the Joint Report and the Discovery Order are amended to extend the duration of discovery until January 31, 2019 such that discovery shall now be completed by January 31, 2019, subject to modification by the Court with the consent of the Parties or for good cause shown;

7. The Parties further stipulate and agree that paragraph 4(d) of the Joint Report and the Discovery Order are amended to extend the deadline for the filing of dispositive motions until February 28, 2019, such that all dispositive motions, including Motions for Summary Judgment, shall now be filed by February 28, 2019, subject to modification by the Court with the consent of the Parties or for good cause shown; and

8. Except as otherwise expressly provided herein, nothing contained herein shall be deemed or construed as a waiver of any legal or factual position or contention of any of the Parties or shall limit any right of the Parties to seek further extensions in the Adversary Proceeding.

CONSENT SIGNATURES CONTINUED ON FOLLOWING PAGE

Consented and agreed to this 29th day of November, 2018.

LAW OFFICES OF HENRY F. SEWELL JR., LLC

/s/ Henry F. Sewell, Jr.

Henry F. Sewell, Jr.

Georgia Bar No. 636265

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Counsel for S. Gregory Hays, as Chapter 7 Trustee of LaPrade's Marina, LLC

CHRISTINE ANZO

/s/ Louis G. McBryan (signed with express consent)

Louis G. McBryan, Esq.

McBryan, LLC

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6849 Peachtree Dunwoody Road

Atlanta, GA 30328

Counsel for Christine Anzo

PERFORMANCE CONSULTING PARTNERS, LLC

/s/ Scott B. Riddle (signed with express consent)

Scott B. Riddle, Esq.

Law Office of Scott B. Riddle, LLC

Suite 1800, Tower Place 100

3340 Peachtree Road, NE

Atlanta, GA 30326

Counsel for Performance Consulting Partners, LLC

Exhibit A

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TRUSTEE FOR LAPRADE’S MARINA,	:	
LLC, DEBTOR,	:	
	:	
Plaintiff,	:	
V.	:	Adv. Pro. No. 18-02004-jrs
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PETER DOMINIC ANZO,	:	
CHRISTINE ANZO, PERFORMANCE	:	
CONSULTING PARTNERS, LLC, and	:	
JOHN DOES 1 – 10,	:	
	:	
<u>Defendants.</u>	:	

ORDER APPROVING STIPULATION AND EXTENDING DEADLINES

Upon the *Stipulation Extending Deadlines* (the “**Stipulation**”) by Defendants Christine Anzo, and Performance Consulting Partners, LLC (collectively, the “**Defendants**”) and Plaintiff S. Gregory Hays, as Chapter 7 Trustee (“**Plaintiff**”) for the Estate of LaPrade’s Marina, LLC, Debtor, in the above-captioned adversary proceeding (the “**Adversary Proceeding**”)(collectively, the Defendants and Plaintiff are the “**Parties**”) and the Court having reviewed the Stipulation, after due deliberation and sufficient good cause appearing therefore with no further notice or opportunity for a hearing being required, it is hereby ORDERED that:

1. The Stipulation is approved in its entirety such that the extended time limits and provisions stated in the Stipulation are approved. Capitalized, but undefined, terms set forth herein shall have the meaning ascribed to such terms in the Stipulation;

2. The Joint Report and the Discovery Order are amended to extend the duration of discovery until January 31, 2019, such that discovery shall now be completed by January 31, 2019, subject to modification by the Court with the consent of the Parties or for good cause shown;

3. The Joint Report and the Discovery Order are amended to extend the deadline for the filing of dispositive motions until February 28, 2019, such that all dispositive motions, including Motions for Summary Judgment, shall now be filed by February 28, 2019, subject to modification by the Court with the consent of the Parties or for good cause shown;

4. Notwithstanding the possible applicability of any Federal Rules of Bankruptcy Procedure or otherwise, this Order shall be immediately enforceable upon entry;

5. Except as otherwise expressly provided herein or in the Stipulation, nothing contained herein shall be deemed or construed as a waiver of any legal or factual position or contention of any of the Parties or shall limit any right of the Parties to seek further extensions in the Adversary Proceeding; and

6. This Court shall retain jurisdiction with respect to all matters arising from or related to the interpretation or implementation of this Order.

*****END OF ORDER*****

Prepared and presented by:

LAW OFFICES OF HENRY F. SEWELL JR., LLC

/s/ Henry F. Sewell, Jr. _____

Henry F. Sewell, Jr.

Georgia Bar No. 636265

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Counsel for S. Gregory Hays, as Chapter 7 Trustee of LaPrade's Marina, LLC

LOUIS G. MCBRYAN, ESQ.

/s/ Louis G. McBryan (signed with express consent)

Louis G. McBryan, Esq.

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Counsel for Christine Anzo

SCOTT B. RIDDLE, ESQ.

/s/ Scott B. Riddle (signed with express consent)

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